

Message

**From:** Carol Ann Woody [Carol Ann Woody <carolw@alaskalife.net>]  
**Sent:** 2/29/2012 8:27:39 PM  
**To:** Bo Boudart [Ex. 6 PII, Bo Boudart] laska Center for the Environment the Environment [nick@akcenter.org]; illiam Kleindl [bill@naiadllc.com]; ulius Baker [Ex. 6 PII, Julis Baker] irk Schubert [Ex. 6 PII, Kirk Schubert] ary Hattie [MHattie@adn.com]; avid Kaplan [Ex. 6 PII, David Kaplan]; illiam Yardley [wyardley@nytimes.com]; uki Akelkok [Ex. 6 PII, Luki Akelkok]; teve Fleischman Debby Burwen [Ex. 6 PII, Debby Burwen] epresentative\_Scott\_Kawasaki [Representative\_Scott\_Kawasaki@legis.state.ak.us]; im Adams [ADAMSJ@nwf.org]; ark Smith AFS [Mark.Smith@wgf.state.wy.us]; arl Vick [Ex. 6 PII, Karl Vick]; obin Samuelsen [RSamuelsen@bbedc.com]; ynette [Ex. 6 PII] eff Caulfield [Ex. 6 PII, Jeff Caulfield] evin Kumagai [Ex. 6 PII, Kevin Kumagai] [Ex. 6 PII]; ue Mauger [sue@inletkeeper.org]; Info@Bristolbayalliance." [info@bristolbayalliance.com]; an Dunaway [Ex. 6 PII, Dan Dunaway]; Rep. Bryce Edgmon" [Representative\_Bryce\_Edgmon@legis.state.ak.us]; aul Morley [Paul.Morley@matsuk12.us]; avid Trimm [DTrimm@ene.com]; [Ex. 6 PII, Ashley Reed] [Ex. 6 PII] an Bogan [bogan@uaa.alaska.edu]; Jack A. Stanford, Ph.,D." [jack.stanford@umontana.edu]; oel Hard [Joel\_Hard@nps.gov]; [Ex. 6 PII] essica Dryden [jessica@chickaloon.org]; andy\_J\_Brown [Randy\_J\_Brown@fws.gov]; om Kline [tkline@pwssc.gen.ak.us]; lex Prud'homme [Ex. 6 PII, Alex Prud'homme] aine Welch [msfish@alaska.com]; [Ex. 6 PII, Alex Prud'homme] odd Radenbaugh [taradenbaugh@alaska.edu]; heyano@bbna.com;Channing Wilson [cwilson@globalridesllc.com]; hanning Wilson [cwilson@globalridesllc.com]; ichael Olyeska [Ex. 6 PII, Michael Olyeski] om Banks [tbanks@defenders.org]; ancy Wainwright [nwainwright@trustees.org]; argie Bauman [Ex. 6 PII, Margie Bauman] indy Hartmann [Cindy.Hartmann@noaa.gov]; eoff York [geoff.york@wwfus.org]; reg Ruggerone [gruggerone@nrccorp.com]; ruce Switzer [bswitzer@birddogllc.com]; ichael Davis [medavis@alaska.edu]; ravis Rummel [Ex. 6 PII, Travis Rummel] ail [Ex. 6 PII] iz Snyder [afeh1@uaa.alaska.edu]; an\_Young [Dan\_Young@nps.gov]; Kari Huus (MSNBC-JV)" [Ex. 6 PII, Kari Huus] esil McGuire [Senator\_Lesil\_Mcguire@legis.state.ak.us]; ore Rich [Ex. 6 PII, Corey Rich] ike Tranel [mike\_tranel@nps.gov]; aron Fetter [aaron@alaskaalpineadventures.com]; eanne Schaaf [Jeanne\_Schaaf@nps.gov]; ikos Pastos [Ex. 6 PII, Nikos Pastos] erry liboff [Ex. 6 PII, Jerry Liboff] avid Shurtleff [DavidS@strategies360.com]; eorge Jacko [Ex. 6 PII, George Jacko] ete Andrew [pandrew@bbna.com]; usan O'Neal [Ex. 6 PII, Susan O'Neal]; oger Flynn [wmap@igc.org]; ichael Melford [Ex. 6 PII, Michael Melford] im Nations [jnations@npca.org]; ob Shavelson [bob@inletkeeper.org]; ike Spear [Ex. 6 PII, Mike Spear] ary\_McBurney [Mary\_McBurney@nps.gov]; TU Smith [Ex. 6 PII] ack Woody [Ex. 6 PII, Jack Woody] ichelleV Davis/R10/USEPA/US@EPA;Marcus Geist [mgeist@tnc.org]; arcus Geist [mgeist@tnc.org]; anci Morris Lyon [gofish@bristolbay.com]; ic Scheibert [vics@TridentSeafoods.com]; ancy Dahlstrom [representative\_nancy\_dahlstrom@legis.state.ak.us]; urt Mutchler [kmutchle@ngs.org]; ohn [jfpiatt@puffins.us]; aren Gillis [karen.gillis@bsfaak.org]; aribeth Brown [Ex. 6 PII, Maribeth Brown] en knight [Ex. 6 PII] ANIEL RINELLA [rinella@uaa.alaska.edu]; ob [Ex. 6 PII]; nn Maest [amaest@stratusconsulting.com]; ristina Ramstad [Kristina.Ramstad@vuw.ac.nz]; inky [Ex. 6 PII] ia Parker [Ex. 6 PII] teve Corey [Ex. 6 PII, Steve Corey] avid Aplin [David.Aplin@WWFUS.ORG]; oseph Spaeder [Ex. 6 PII, Joseph Spaeder] atiana Askoak [Ex. 6 PII, Tatiana Askoak]; rian Litmans [blitmans@trustees.org]; eff Opdyke [jeff.opdyke@wsj.com]; rawicki\_Cindy [trawicki\_cindy@asdk12.org]; aniel Duane [Ex. 6 PII, Daniel Duane] ndria Agli [aagli@BBNC.NET]; at Flatley [Ex. 6 PII, Pat Flatley] LBritton [Ex. 6 PII] obert Heyano [Ex. 6 PII, Robery Heyano] tu Levit [Ex. 6 PII, Stu Levit] David E. Brailey" [dbrailey@alaska.net]; ike Ward [Ex. 6 PII, Mike Ward] enny and Chris Habicht [Ex. 6 PII] arianne Grant [Ex. 6 PII, Marianne Grant] arner Lew [WarnerL@IcicleSeafoods.com]; jszarzi@alaska.net; [Ex. 6 PII] aniel Schindler [deschind@u.washington.edu]; arol Reynolds [Ex. 6 PII, Carol Reynolds] tewart Grant [Ex. 6 PII, Stewart Grant] arren [Ex. 6 PII]; evin Davis [kevin@steelheaddiner.com]; James B. Reynolds" [ffjbr@uaf.edu]; im Haynes [Ex. 6 PII, Jim Haynes] Hughes. Bob" [Ex. 6 PII, Carol Ann Woody] hil North/R10/USEPA/US@EPA;John\_Trawicki [John\_Trawicki@fws.gov]; ohn\_Trawicki [John\_Trawicki@fws.gov]; ill Flanders\_Crosby [afjaf@uaa.alaska.edu]; ari Huss [Ex. 6 PII, Kari Huss] alph Andersen [randersen@bbna.com]; ave Montgomery [dave@ess.washington.edu]; aren and Pat Murphy [Ex. 6 PII, Pat Murphy] ildenthomas

**Ex. 6 PII, Thomas Tilden** ig **Ex. 6 PII** harlotte Balluta **Ex. 6 PII, Charlotte Balluta**, illie Dixson  
**Ex. 6 PII, Willie Dixson** eorge Hornberger **Ex. 6 PII, GeorgeHornberger** cott Brennan [scott\_brennan@twos.org];  
 awn Silas **Ex. 6 PII** ark\_Lisac [Mark\_Lisac@fws.gov]; arry Rich [hbjr@u.washington.edu]; oel  
 Natwick [lisa@tanalianaviation.com]; arie Bowers **Ex. 6 PII, Marie Bowers** nn Harding **Ex. 6 PII**  
 elvin Doyle **Ex. 6 PII, Kelvin Doyle** ebi Mclean [rfdm@uaf.edu]; argaret Williams [margaret.williams@wwfus.org];  
 ance Holter [holter@maui.net]; ichael Webster [mwebster@coral.org]; ryan Honkytonk **Ex. 6 PII**  
 Ted (DFG) Otis" [ted.otis@alaska.gov]; im Hutchinson [trust@ptialaska.net]; ark Wipfli **Ex. 6 PII, Mark Wipfli** ary  
 Lochner [baytimes@alaskanewspapers.com]; ucinda Tear **Ex. 6 PII, Lucinda Tear** rian and Ellen Lance  
**Ex. 6 PII** Susan L. Flensburg" [sflensburg@bbna.com]; ark and Mary Emery  
 [info@markemeryfilms.com]; revor Fulton [trevor\_fulton@legis.state.ak.us]; **Ex. 6 PII** Jim Stratton  
 [JSTRATTON@NPCA.ORG]; im Stratton [JSTRATTON@NPCA.ORG]; Mike. Fedorko" **Ex. 6 PII, Mike Fedorko**  
 aren\_Evanoff [Karen\_Evanoff@nps.gov]; aniel Chythlook **Ex. 6 PII, Daniel Chythlook** oe Margraf  
 [ffjfm1@uaf.edu]; aren Joynt [kjoynt@trustees.org]; erry Hoefferle **Ex. 6 PII** & Lori Nelson  
**Ex. 6 PII** ark Vinsel [ufa1@ufa-fish.org]; ance Trasky **Ex. 6 PII** rystyna U Wolniakowski  
 [Wolniakowski@NFWF.ORG]; elly Harrell [kelly@akmarine.org]; ohn Tobin **Ex. 6 PII** lannah Hurley  
**Ex. 6 PII** ike Pawlawski **Ex. 6 PII, Mike Pawlawski** ave Meyer Private  
**Ex. 6 PII, Dave Meyer** ouie Flora [Louie\_Flora@legis.state.ak.us]; ndrew White **Ex. 6 PII, Andrew White**  
 uck Mangipane [Buck\_Mangipane@nps.gov]; tan Hermens **Ex. 6 PII, Stan Hermens** tephen\_Fried  
 [Stephen\_Fried@fws.gov]; age Spencer **Ex. 6 PII, Page Spencer** Jim P. Welch" **Ex. 6 PII, Jim Welch** rt Hackney  
**Ex. 6 PII, Art Hackney** om Yocom **Ex. 6 PII, Tom Yocom** atrick Farrell [spfarrell@nytimes.com]; hudabob  
**Ex. 6 PII** oe&Kathy Spicola **Ex. 6 PII** &G Coray **Ex. 6 PII** DeeDee Bennis,  
 (Pinkys,Sister)" [dbennis@bbna.com]; Mat Cannava, MD" [mmcannava@acsalaska.net]; homas Yocom  
**Ex. 6 PII, Tom Yocom** eil McCarthy [neil.mccarthy@bbc.co.uk]; endra Zamzow **Ex. 6 PII, Kendra Zamzow** ash  
 Joyce **Ex. 6 PII, Joyce Cash** rank Woods [fwoods@bbna.com]; ourtenay Carty **Ex. 6 PII, Courtenay Carty**  
 verett Thompson **Ex. 6 PII, Everett Thompson** ndrew metz [METZA@CBSNEWS.COM]; milie Otis **Ex. 6 PII, Emilie Otis**

**Subject:** Fwd: From Greenwire -- MINING: Documents show regulators' frustration with Pebble project

**Attachments:** www.fish4thefuture.com; **Ex. 6 PII, Carol Ann Woody** Hotspot; Greenwire; Click here; www.eenews.net; Click here

Carol Ann Woody, Ph.D.

Fisheries Research and Consulting, LLC

www.fish4thefuture.com

**Ex. 6 PII, Carol Ann Woody**

907.242.3496

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MINING: Documents show regulators' frustration with Pebble project (Monday, February 27, 2012)

Manuel Quinones, E&E reporter

Some government regulators working on the massive Pebble gold and copper mine in Alaska expressed frustration about the company's lack of transparency and voiced concern about the project's potential environmental impacts, according to newly released documents.

The dozens of emails, letters and memos from several state and federal agencies were obtained by Greenwire through the anti-Pebble group Trout Unlimited, which filed a Freedom of Information Act request for access. They detail rising tensions over the project dating back almost a decade.

"[Pebble Limited Partnership's] response to the draft Guiding Principles document appears to give notice that they intend to do only the minimum legally required to gain the permits required to develop the mine and associated infrastructure," Ted Otis, a biologist for the Alaska Department of Fish and Game, wrote in a 2009 email.

"I personally find that to be disconcerting, given the 'WE WILL DO NO HARM' doctrine PLP has long preached in their [public relations] campaigns," Otis wrote.

Pebble Limited Partnership -- a joint venture of mining giants Anglo American PLC and Northern Dynasty Minerals Ltd. -- has spent

several hundred million dollars to date on research, exploration and preparation for an eventual permitting process (Greenwire, Feb. 9).

But regulators complained about not having enough input into some of that research and about Pebble's willingness to share information. They also chafed about the technical working group process established to promote cooperation.

"I am aware that EPA and other agencies share a growing level of dissatisfaction with the adequacy of the TWG process as a whole," said a 2009 letter from U.S. EPA's Alaska operations office. "Our experience has been increased internal staff frustration over [Pebble Limited Partnership's] willingness to both acknowledge and incorporate our input on various PLP products and plans." A 2009 email from U.S. Fish and Wildlife Service biologist Phil Brna said, "I do agree with PLPs assertion that the recent TWG meetings have been increasingly antagonistic and confrontational, but I suggest this is largely the result of PLPs unwillingness to share information with agencies or to respond to our specific requests."

The documents also shed light on bureaucratic squabbling, with disagreements over the content of meeting minutes and the value of getting involved so early in the process. Despite years of work by numerous agencies, the mine has yet to formally enter the permitting process.

"We have dedicated these resources based upon assurances that a project, design, and data would be forthcoming to make the TWG a productive process," said a 2009 letter from the Army Corps of Engineers, in which the agency announced it would no longer participate on the technical working group.

Early regulatory involvement stems from Pebble's potentially becoming one of the largest mining projects in the world. The company says the site, located in southwest Alaska near Bristol Bay and its valuable salmon fishery, contains more than 80 billion pounds of copper and more than 107 million ounces of gold.

In a 2005 letter, the U.S. Fish and Wildlife Service said, "We remain concerned that the proposed studies are not of sufficient scope to establish a true baseline to adequately assess changes in the environment which may result from the project over time."

Pebble has also been working with regulators over smaller exploration and infrastructure permits. In a 2010 letter, the Alaska Department of Fish and Game chided the company over a water use violation.

"Our investigation revealed that in 2009," the letter said, "Pebble withdrew water from five locations that were not reviewed for permit requirements by the Division of Habitat."

#### Pebble fights back

Pebble spokesman Mike Heatwole said that many of the meetings and information releases were an effort by Pebble to promote transparency in the process. He notes that the company has released information before being legally required to do so.

"We continue to work on this and the release of our environmental studies is a first step," he said in an email. "It should also be noted that we have released the [environmental] studies pre-permitting and have done so because we recognize the public interest in our project."

Earlier this month, the company released an environmental baseline document, which it calls "one of the most extensive environmental studies program ever conducted for a natural resource project in Alaska."

The released documents showed that Pebble wanted reasons and justifications for agency information requests. The company also felt that a document from regulators was "lecturing and commanding" and did not promote dialogue.

And in a March 2009 document, Pebble repeated an often-expressed caveat: "We wish to affirm that the Pebble Project remains in a pre-permitting phase and as such, it is to be expected that the project design has not been fully developed yet."

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E&E Publishing, LLC

122 C St., Ste. 722, NW, Wash., D.C. 20001.

Phone: 202-628-6500. Fax: 202-737-5299.

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